D.B.CIVIL SPECIAL APPEAL (W) NO. 755/2007
Smt. Nathi Devi & anr.
v.
State of Rajasthan & ors.

Date of order : 31.05.2007.

HON'BLE THE CHIEF JUSTICE SHRI S.N.JHA
HON'BLE SHRI JUSTICE MOHAMMAD RAFIQ
. . .

Shri S.K.Shukla for the appellants

This appeal is directed against the order of the learned Single Judge vacating stay. The subject matter of challenge is acquisition of land under the Land Acquisition Act, and earlier the appellants had obtained stay.

Acquisition of land can be challenged on limited grounds and this Court while exercising power of judicial review does not sit in appeal. We do not wish to dwel upon merit of the case because the writ is pending. After hearing counsel for the appellants we do not find any justification for continuing the stay. The learned Single Judge therefore, did not commit any error in vacating stay.

Appeal is dismissed.

(MOHAMMAD RAFIQ), J. (S.N.JHA), C.J.

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